

ORDINANCE NO. 17-__

**AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE
TOWN OF CUTLER BAY, FLORIDA, ADOPTING THE ANNUAL
UPDATE TO THE CAPITAL IMPROVEMENTS ELEMENT WITHIN THE
TOWN'S GROWTH MANAGEMENT PLAN; PROVIDING FOR
SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, local governments are annually required to update the Capital Improvements Element (CIE) contained within the Town's Growth Management Plan in order to ensure that the required level of service standard for the public facilities listed in Section 163.3180, Florida Statutes are achieved and maintained over the planning period; and

WHEREAS, public notice was provided in accordance with law; and

WHEREAS, the Town Council finds that this Ordinance is in the best interest and welfare of the residents of the Town.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE
TOWN OF CUTLER BAY, FLORIDA:**

Section 1. Recitals Adopted. The recitals set forth above are true and correct and incorporated herein by this reference.

Section 2. Adoption of the Capital Improvements Element Update. The Town Council hereby adopts the annual update to the CIE within the Town's Growth Management Plan, which is attached to this Ordinance as Exhibit "A."

Section 3. Conflicts. All ordinances or code provisions in conflict herewith are hereby repealed.

Section 4. Severability. If any section, clause, sentence, or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5. Effective Date. This ordinance shall be effective immediately upon passage by the Town Council on second reading.

PASSED on first reading this 19th day of July, 2017.

PASSED AND ADOPTED on second reading this ____ day of _____, 2017.

PEGGY R. BELL
Mayor

Attest:

Debra E. Eastman, MMC
Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE SOLE
USE OF THE TOWN OF CUTLER BAY:

WEISS SEROTA HELFMAN
COLE & BIERMAN, P.L.
Town Attorney

First Reading:

Moved by: Council Member Mixon
Second by: Vice Mayor Loyzelle

Second Reading:

Moved by: _____
Second by: _____

FINAL VOTE AT ADOPTION:

Mayor Peggy R. Bell _____

Vice Mayor Sue Ellen Loyzelle _____

Council Member Mary Ann Mixon _____

Council Member Michael P. Callahan _____

Council Member Roger Coriat _____